

Remarks

Reconsideration of the present application, as amended, is respectfully requested.

In a perusal of the specification, the applicant found a typographical error on page 2 and has made the corresponding spelling correction.

Claims 1-29 are currently pending and have all been rejected. Claims 1-4, 6-11, 13-17, 19-24, and 27-28 were rejected under 35 U.S.C. §102(e) as being anticipated by previously cited U.S. Patent No. 6,539,393, which issued March 25, 2003 to S.J. Kabala. Claims 5 and 18 were rejected under 35 U.S.C. §103(a) as being obvious over the Kabala patent in view of U.S. Patent No. 6,233,452, which issued May 15, 2001 to K. Nishino. Claims 12 and 25-26 were rejected under 35 U.S.C. §103(a) as being obvious over the Kabala patent in view of U.S. Patent No. 6,414,635, which issued July 2, 2002 to B.B. Stewart *et al.* Claim 29 was rejected under 35 U.S.C. §103(a) as being obvious over the Kabala patent in view of U.S. Patent Application No. 2002/0164983, which was filed February 7, 2002 to L.O. Raviv *et al.* and further in view of the cited Stewart patent.

Applicants address their arguments principally with respect to independent claims 1, 7, 17, 24, 29.

Rejections of Independent Claims 1, 7, 17 and 24

Independent claims 1, 7, 17 and 24 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,539,393 issued to S.J. Kabala (hereinafter “Kabala”).

1. Claims 1, 7 and their dependents

Claim 1 recites:

A wireless transceiver device, the wireless transceiver device being arranged to interface with a roaming device, the wireless transceiver device comprising:

computer code for causing static input information associated with the wireless transceiver device to be accepted;

a memory arranged to store data, the memory further including an editable field, wherein the computer code for causing the static input information to be accepted causes the static input information to be stored in the editable field;

computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the static input information stored in the editable field and the data, wherein the computer code for causing

the record associated with the roaming device to be generated further causes the record to be stored on the memory; and
a processor for executing the computer codes, wherein the memory is further arranged to store the computer codes.

In rejecting claim 1, the Examiner stated:

Kabala discloses a wireless transceiver device (i.e., a plurality of portable transceiver[s]), the wireless transceiver device being arranged to interface with a roaming device (i.e., a plurality of badges), the wireless transceiver device comprising:

computer code for causing static input information (i.e., transceiver's own identification codes, signal strength of the signals received from the badges) associated with the wireless transceiver device to be accepted (col. 4, lines 52-67);

a memory arranged to store data (i.e., the central processor 110 inherently has a memory to store data), the memory further including an editable field, wherein the computer code for causing the static input information to be accepted causes the static input information to be stored in the editable field (col. 4, lines 52-67);

computer code for causing a record associate[d] with the roaming device to be generate[d], the record being arranged to include the static input information stored in the editable field and data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored on the memory (see fig. 5, and its descriptions. Also, the central processor 110 would have a memory to store collected data);

Also, it is inherent that a processor for executing the computer codes, wherein the memory is further arranged to store the computer codes.

With due respect to the Examiner, the Kabala reference does not disclose the invention recited in claim 1. As quoted above, the basis of the Examiner's rejection is the identification of one of the Kabala transceivers 151-162 with the applicant's claimed "wireless transceiver device," and one of the plurality of badges with the applicant's "roaming device." There are several flaws in the rationale of the rejection.

First, in the cited portion of the Kabala reference, i.e., col. 4, lines 52-67, there is no description nor even a hint of "computer code for causing static input information associated with the wireless transceiver device to be accepted." As the Examiner points out, such static input information might be the transceiver's own identification codes (but not signal strength since this information is dynamic). However, nowhere is there described that computer code which causes the transceiver's own identification codes to

be accepted. As the applicant noted in his specification, manufacturers of the transceiver devices define the information which is to be included in a record associated with a roaming device. See page 3, lines 9-10. However, information, such as the wireless transceiver's own identification codes, are already part of the wireless transceiver. Such information does not need "to be accepted."

Second, the Examiner identified the applicant's "memory arranged to store data" with memory associated in the central processor 110 (see Fig. 1) of the Kabala reference. The applicant points out that his claims follow standard patent practice, i.e., that the elements following the term, "comprising," mean that the elements are parts of the wireless transceiver device which precedes "comprising." To wit, "memory arranged to store data" is an element of the claimed wireless transceiver device in the preamble of claim 1. However, having identified the applicant's claimed "wireless transceiver device" with one of the Kabala transceivers 151-162, the Examiner now identifies a purported element of the transceivers 151-162 with the central processor 110. This is inconsistent and not logical. See Fig. 1 and note that the boxes labeled 151-162 around the periphery of the drawing are separate and distinct from the box labeled 110 at the center of the drawing.

Third, nowhere is there described nor mentioned in the portion cited in Kabala patent that a memory in the transceivers 151-162, or in the central processor 110, has "an editable field" and that the transceiver's own identification codes stored in such an editable field. The applicant has been unable to find such a teaching in col. 4, lines 52-67 and respectfully requests that the Examiner quote such language for the applicant's edification.

Fourth, nowhere is there described nor mentioned that any of the Kabala transceivers 151-162 have "computer code for causing a record associated with the roaming device to be generated, the record being arranged to include the static input information stored in the editable field and the data, wherein the computer code for causing the record associated with the roaming device to be generated further causes the record to be stored on the memory." The portion cited by the Examiner states:

...transceivers 151 to 162 in each booth receives the identification code of the badge carried by the attendee. The identification information, along with the transceivers' own identification codes, and the signal strength of the signals

received from the badges, are forwarded by the transceivers to the central processor 110....Then, the central processor retrieves the information entered by operators when the attendees registered for the show to archive a list having identity of the attendees, the places of booths visited, the times of the visits, and the durations of the visits. Col. 4, lines 52-67.

Not only is there no description of a computer code in the transceivers 151 to 162, but the transceivers do not generate a record associated with a roaming device. The transceivers 151 to 162 merely forward the information to the central processor 110.

Fifth, assuming *arguendo* that the archived list generated by the central processor 110 is to identified with the applicant's "record associated with the roaming device," the so-called "record" does not include any static input information associated with a transceiver, as called for in claim 1. The transceivers' own identification codes do not appear in the archived list.

Finally, as pointed out above with respect to standard patent practice, claim 1 recites "a memory" and "a processor" as elements of the claimed "wireless transceiver device." Having identified the applicant's wireless transceiver device with one of Kabala's transceivers 151 to 162, Examiner again contradicts himself by identifying the claimed processor with the central processor 110. The putative "wireless transceiver device," one of the Kabala transceivers 151-162, is not the same as the central processor 110.

Therefore, claim 1 is not anticipated by the cited Kabala patent and should be allowable. Likewise, dependent claims 2-6 should be allowable for at least being dependent upon an allowable base claim. Furthermore, at least some of the dependent claims should be allowable in their own right.

Independent claim 7 recites:

A wireless transceiver device, the wireless transceiver device being arranged to interface with a first device, the transceiver device comprising:
means for accepting input information associated with the wireless transceiver device;
means for storing data, the means for storing the data further including means for storing the input information in an editable field, wherein the means for accepting the input information includes means for providing the input information to the editable field; and
means for generating a record associated with the first device, the record being arranged to include the input information stored in the editable field,

wherein the means for storing the data further includes means for storing the record.

With similar limitations as recited in independent claim 1, claim 7 should be allowable over the cited art for at least the reasons set forth above with respect to claim 1. Additionally, each of the claims 8-16, which depend from claim 7, should be allowable over the cited art for at least being dependent upon an allowable base claim. Furthermore, at least some, if not all, of these dependent claims recites additional limitations, which when considered in light of claim 7, are believed to further distinguish the claimed invention over the art of record.

2. Claim 17 and its dependents

Independent claim 17 recites a method for utilizing a wireless transceiver device that includes similar limitations to those recited in independent claim 1. Claim 17 recites:

A method for utilizing a transceiver device, the transceiver device being a wireless transceiver device, the transceiver device having a communications range, the method comprising:

receiving static information into an editable field stored in memory associated with the transceiver device, the static information being information pertaining to the transceiver device;

storing the static information into the editable field;

receiving an indication that a roaming device is within the communications range;

creating a record, the record being arranged to include information associated with the roaming device;

adding the static information into the record; and

storing the record in the memory.

In rejecting this claim, the Examiner reasoned similarly to his rejections of independent claims 1 and 7. Much of the applicant's arguments above apply similarly.

First, in the cited portion of the Kabala reference, i.e., col. 4, lines 52-67, there is no description nor even a hint of "receiving static information into an editable field" by any one of the transceivers 151-162. Nowhere is there described nor mentioned in the portion cited in Kabala patent of "an editable field" and that the transceiver's own identification codes stored in such an editable field.

Second, claim 17 recites that the editable field is stored in memory "associated with the transceiver device." Nowhere is there disclosed a memory associated with the Kabala

transceivers 151-162. Examiner again appeared to have identified the applicant's "memory associated with the transceiver device" with memory associated in the central processor 110 (see Fig. 1) of the Kabala reference, in contradiction of the claim language.

Third, the Examiner argued that "the central processor 110 stores all the collected information from each badge, or each attendee (i.e., storing the static information into the editable field)." This is irrelevant to the claimed step of "storing the static information into the editable field," since it is the wireless transceiver device of the claim preamble which is associated with the steps of claim 17. The Examiner appeared to confuse the Kabala transceivers 151-162 with the separate and distinct central processor 110 again.

Fourth, nowhere is there described nor mentioned that any of the Kabala transceivers 151-162 create "a record, the record being arranged to include information associated with the roaming device." Col. 4, lines 52-67, the portion of the Kabala reference often cited by the Examiner, states:

...transceivers 151 to 162 in each booth receives the identification code of the badge carried by the attendee. The identification information, along with the transceivers' own identification codes, and the signal strength of the signals received from the badges, are forwarded by the transceivers to the central processor 110....Then, the central processor retrieves the information entered by operators when the attendees registered for the show to archive a list having identity of the attendees, the places of booths visited, the times of the visits, and the durations of the visits. Col. 4, lines 52-67.

Fig. 5 is an example of the archival list of records created by the central processor 110. The transceivers 151 to 162 do not generate records with information associated with roaming devices. The transceivers merely forward the information to the central processor 110.

Fifth, assuming *arguendo* that the archival list generated by the central processor 110 is to identified with the applicant's "record associated with the roaming device." The so-called "record" does not include any static input information pertaining to a transceiver device, as called for in claim 17 by the step of "adding the static information into the record." The transceivers' own identification codes do not appear in the archived list. See Fig. 5 of the Kabala patent.

Finally, claim 17 recites the step of “storing the record in the memory,” and the Examiner cited col. 5, lines 62-67 of the Kabala patent on this point. Claim 17 recites “memory” in the claimed “method of utilizing a transceiver device.” Having identified the applicant’s transceiver device with one of Kabala’s transceivers 151 to 162 (and presumably the transceivers 181-184 and 191-192 of Fig. 1A), Examiner contradicts himself by identifying the claimed memory with the central processor 110. See Fig. 5. The applicant’s “transceiver device,” identified as one of the Kabala transceivers 151-162 (and 181-184 and 191-192), is not the same as the central processor 110. Furthermore, the applicant once more points out that the central processor 110 which creates (and presumably stores) the archival list. See col. 5, lines 62-67. The transceivers 151-162 (and 181-184 and 191-192) merely forward the information for the creation of the archival list by the central processor 110. This is not what claim 17 calls for.

Hence independent claim 17 is should be allowable over the cited art for at least the reasons set forth above with respect to claim 1. Claims 18-23 depend from claim 17 and therefore should be allowable for at least being dependent upon an allowable base claim. Furthermore, at least some, if not all, of these dependent claims recites additional limitations, which when considered in light of claim 17, are believed to further distinguish the claimed invention over the art of record.

3. Claim 24 and its dependents

Independent claim 24 recites:

A method of configuring an access point comprising:
 positioning the access point at a desired location;
 determining an address of the desired location; and
 storing the address in a memory field, the memory field being associated with the access point.

In rejecting this claim, the Examiner found that the step of “determining an address of the desired location” is found in the transceiver's own ID. Here the Examiner appears to have confused the identification of the transceiver and the location of the transceiver. Of course, they are not the same.

Furthermore, claim 24 also recites the step of “storing the address (of the desired location of the access point) in a memory field associated with the access point.” The Kabala reference

does not teach of or suggest storing an address of a desired location of a transceiver 181-184 in a memory field associated with any of the transceivers 181-184. The passage of Kabala cited by the Examiner (lines 58-62 of column 5) reads as follows:

“Transceivers 181 to 184 and 190 and 192 wirelessly transmit, preferably in RF, message packets including data relating to ID codes received from badges, signal strengths, and its own ID to a nearby wired transceiver module 171, 172 or 173.”

As previously mentioned, an ID of a transceiver is not an address of a desired location for a transceiver. Further, there is no suggestion that the address of a desired location for a transceiver is stored in the transceiver.

Accordingly, independent claim 24 is not anticipated by the Kabala reference and should be allowable. Claims 25-28 each depend from claim 24 and each of these claims should be allowable over the cited art for at least being dependent upon an allowable base claim. Additionally, at least some, if not all, of these claims recite additional limitations which further distinguish the claimed invention over the art of record.

Rejection of Independent Claim 29

Independent claim 29 was rejected under 35 U.S.C. §103(a) as being obvious over the Kabala patent in view of U.S. Patent Application No. 2002/0164983, which was filed February 7, 2002 to L.O. Raviv *et al.* and further in view of the cited Stewart patent.

Independent claim 29 recites:

A method for utilizing an access point, the access point having a communications range, the method comprising:

- receiving static information into an editable field stored in a memory of the access point, the static information being information pertaining to the access point;
- storing the static information into the editable field;
- receiving an indication that a roaming device is within the communications range;
- registering the roaming device after the indication is received, wherein registering the roaming device includes performing a remote authentication;
- creating a record after registering the roaming device, the record being arranged to include information associated with the roaming device;
- obtaining the static information from the editable field;
- adding the static information into the record; and
- storing the record in the memory.

As discussed above with respect to claims 1 and 17, the Kabala reference does not teach “receiving static information into an editable field stored in a memory of the access point, the static information being information pertaining to the access point.” Nowhere in the cited portion of the Kabala reference, i.e., col. 5, lines 58-67, is there a description of an editable field in a memory, that the memory belongs to the access point, that the static information is received into the editable field (and hence by the access point), and that the static information pertains to the access point. In the portion cited by the Examiner, the purported static information (transceiver ID) is received by the central processor 110 which is separate and distinct from the purported access point, one of the transceivers 181-184 and 191-192.

There is no teaching in the Kabala reference of “storing the static information into the editable field” since there is no teaching of an editable field.

The Kabala reference does not teach the steps of “creating a record after registering the roaming device, the record being arranged to include information associated with the roaming device; obtaining the static information from the editable field; adding the static information into the record.” Note that cited Fig. 5 does not show the static information obtained from the editable field, as pointed out earlier.

Finally, the Kabala reference does not teach the step of “storing the record in the memory.” Note that the memory is “of the access point” and cannot be associated with a memory of the central processor 110 which is separate and distinct from the purported access point, one of the one of the transceivers 181-184 and 191-192.

The Examiner acknowledged that Kabala does not disclose step of “registering the roaming device after the indication is received, wherein registering the roaming device includes performing a remote authentication.” But the Examiner argued that at paragraph [0254], the Raviv reference discloses this limitation. Paragraph [0254] discloses that some data services require device authorization before access by a mobile device is permitted, and also makes mention of mobile device authentication. However, the Raviv patent discloses that a mobile device’s home network is used to identify the mobile device when authentication of the mobile device is requested. The applicant does not find that Raviv teaches an access point performing remote authentication to register a roaming device when the roaming device is within a

communications range of the access point. Likewise, the Stewart reference does not overcome this deficiency of Raviv.

Accordingly, independent claim 29 is not obvious over the cited reference and should be allowable.

Conclusion

Therefore, in view of the remarks above, the applicant requests that the rejections be withdrawn, that claims 1-29 be allowed, and the case be passed to issue. If a telephone conference would in any way expedite the prosecution of the application, the Examiner is asked to call the undersigned at (408) 868-4088.

Respectfully submitted,

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